

# EXHIBIT 9

**From:** [Nowicki, Stacy L](#)  
**To:** [Briana J. Marino](#)  
**Subject:** Fwd: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)  
**Date:** Thursday, March 26, 2020 9:51:50 AM

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Sent from my iPhone

Begin forwarded message:

**From:** "Nowicki, Stacy L" <Stacy.L.Nowicki@wv.gov>  
**Date:** March 19, 2020 at 11:59:00 AM EDT  
**To:** Loree Stark <LStark@acluwv.org>, "Jividen, Betsy" <Betsy.Jividen@wv.gov>  
**Cc:** "Valentino, William R" <William.R.Valentino@wv.gov>, "Messina, Lawrence C" <Lawrence.C.Messina@wv.gov>  
**Subject:** RE: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

CenturyLink is giving the prison facility inmates 2 15-minute calls per week.  
GTL is giving the jail facility inmates 2 5-minute calls per week  
GTL is giving prison facility 1 15-minute video visitation per inmate, per week  
Tech Friends is giving jail facility 1 15-minute video visitation per inmate, per week  
(working on this to implement, a lot of cameras have been broken at the jails)  
Keep in mind, this is given based on type of facility, not type of inmate. This is also  
a very quickly evolving situation, and these numbers are subject to change.  
Stacy L. Nowicki, Esq.  
Deputy General Counsel  
Department of Military Affairs and Public Safety  
1900 Kanawha Blvd., East  
Building 1, Suite 400-W  
Charleston, WV 25305  
Phone- (304)558-2930  
Cell- (304)206-0509  
Fax- (304)558-1141

**CONFIDENTIAL: ATTORNEY - CLIENT PRIVILEGED COMMUNICATION**

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please notify the sender at 304. 558.2036.

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**From:** Loree Stark <LStark@acluwv.org>

**Sent:** Thursday, March 19, 2020 11:46 AM

**To:** Nowicki, Stacy L <Stacy.L.Nowicki@wv.gov>; Jividen, Betsy <Betsy.Jividen@wv.gov>

**Cc:** Valentino, William R <William.R.Valentino@wv.gov>

**Subject:** RE: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

Terrific, thank you so much!

-Loree

**Loree Stark**

**Legal Director**

ACLU of West Virginia

P.O. Box 3952

Charleston, WV 25339-3952

(304) 345-9246

*Pronouns: she/her/hers*



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**From:** Nowicki, Stacy L <[Stacy.L.Nowicki@wv.gov](mailto:Stacy.L.Nowicki@wv.gov)>

**Sent:** Thursday, March 19, 2020 11:45 AM

**To:** Loree Stark <[LStark@acluwv.org](mailto:LStark@acluwv.org)>; Jividen, Betsy <[Betsy.Jividen@wv.gov](mailto:Betsy.Jividen@wv.gov)>

**Cc:** Valentino, William R <[William.R.Valentino@wv.gov](mailto:William.R.Valentino@wv.gov)>

**Subject:** RE: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

Ms. Stark- I will get back with you when I have a moment to let you know what the polices are on electronic communications.

Stacy L. Nowicki, Esq.

Deputy General Counsel

Department of Military Affairs and Public Safety

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please notify the sender at 304. 558.2036.

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**From:** Loree Stark <[LStark@acluwv.org](mailto:LStark@acluwv.org)>

**Sent:** Thursday, March 19, 2020 11:39 AM

**To:** Jividen, Betsy <[Betsy.Jividen@wv.gov](mailto:Betsy.Jividen@wv.gov)>

**Cc:** Nowicki, Stacy L <[Stacy.L.Nowicki@wv.gov](mailto:Stacy.L.Nowicki@wv.gov)>; Valentino, William R <[William.R.Valentino@wv.gov](mailto:William.R.Valentino@wv.gov)>

**Subject:** RE: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

Thanks—I thought I left my cell phone number on the voicemail, and I'm not sure what happened if it didn't come through on there. I'm working from home and having difficulty accessing our voicemail at work. Thanks for letting me know and I appreciate your response.

While we are waiting on the policy, can you confirm if the current policy regarding communications is that those that are incarcerated get two free calls a week and one free video visitation? I've heard conflicting things and I just want to make sure we have it right.

-Loree

**Loree Stark**

**Legal Director**

ACLU of West Virginia

P.O. Box 3952

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**From:** Jividen, Betsy <[Betsy.Jividen@wv.gov](mailto:Betsy.Jividen@wv.gov)>

**Sent:** Thursday, March 19, 2020 11:33 AM

**To:** Loree Stark <[LStark@acluwv.org](mailto:LStark@acluwv.org)>

**Cc:** Nowicki, Stacy L <[Stacy.L.Nowicki@wv.gov](mailto:Stacy.L.Nowicki@wv.gov)>; Valentino, William R <[William.R.Valentino@wv.gov](mailto:William.R.Valentino@wv.gov)>

**Subject:** RE: [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

I tried to call you back yesterday. There was no answer, and no machine picked up. We are updating a policy and I am forwarding your request to Legal.

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**From:** Loree Stark <[LStark@acluwv.org](mailto:LStark@acluwv.org)>

**Sent:** Thursday, March 19, 2020 11:23 AM

**To:** Jividen, Betsy <[Betsy.Jividen@wv.gov](mailto:Betsy.Jividen@wv.gov)>

**Subject:** [External] FW: Followup on Request for Meeting and Documents (ACLU-WV)

**CAUTION: External email. Do not click links or open attachments unless you verify sender.**

Commissioner Jividen,

I am following up on the below request for documents and a meeting. Please let me know if I have missed a responsive email or phone call. I am now following up on the request for documents today with the attached, outlining our organization's right to access information under WV FOIA laws.

Thanks,

-Loree

**Loree Stark**

**Legal Director**

ACLU of West Virginia

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Charleston, WV 25339-3952

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*Pronouns: she/her/hers*



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**From:** Loree Stark

**Sent:** Tuesday, March 10, 2020 2:08 PM

**To:** 'betsy.jividen@wv.gov' <[betsy.jividen@wv.gov](mailto:betsy.jividen@wv.gov)>

**Subject:** ACLU-WV Request for Meeting Regarding COVID-19 Plans

Commissioner Jividen,

I don't believe we've yet met. I'm the legal director here at ACLU-WV. Along with other ACLU affiliates around the country, our organization is concerned for the health of our incarcerated populations in the wake of the COVID-19 pandemic. I'd like to meet, either in person or via phone, with the appropriate person in the Division as soon as practicable. Please see the attached letter.

It's easiest to reach me via email or on my cell. My number is 914-393-4614.

**Loree Stark**

**Legal Director**

ACLU of West Virginia

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